

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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The Trustees of the Minnesota Cement Masons  
and Plasterers Fringe Benefit Funds,

Plaintiffs,

Civ. No. 07-3973 (RHK/RLE)

**ORDER**

v.

Letourneau & Sons, Inc., a Minnesota corporation,  
and John E. Letourneau, Jr.,

Defendants.

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This matter is before the Court *sua sponte*. Defendants have filed a Motion to Enforce Settlement (Doc. No. 22), which is scheduled to be heard by the Court on September 3, 2008, at 9:00 a.m. The Court having conferred with counsel for the parties, and counsel having agreed that the Motion is appropriate for disposition without a hearing, **IT IS ORDERED** that the hearing on Defendants' Motion is **CANCELED**. The Motion is deemed submitted as of August 20, 2008, the date Plaintiffs filed their Opposition to the Motion.

Dated: August 26, 2008

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge